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From: RICK D. NYDEGGER

Comments: Please see attached.

Docket No. 13768.242

Serial No. 10/086,792

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PATENT APPLICATION
Docket No. 13768.242

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Donald James McNamara, et al.

Serial No.:

10/086,792

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)
)
) Art Unit
) 2142

Filed:

February 28, 2002

Confirmation No.:

8972

For:

SCALABLE NOTIFICATION
DELIVERY SERVICE

Examiner:

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TRANSMITTAL OF ISSUE FEE PAYMENT

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The enclosed Notice of Allowance and Issue Fee due is submitted herewith pursuant to 37 C.F.R. § 1.67 and M.P.E.P 603.01 for filing in the matter of the United States patent application as hereinabove identified. Enclosed is PTO Form 2038 for \$1,712.00 for payment of the issue fee.

The Commissioner is hereby authorized to credit any overpayment or charge any additional fees to Deposit Account No. 23-3178 of the undersigned.

VERNON R. RICE §
OF COUNSEL

* Admitted only in California
§ Admitted only in Virginia



Please address all future correspondence in connection with the above-identified patent application to the attention of the undersigned.

Comments on Statement of Reasons for Allowance

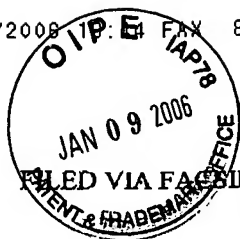
Applicants respectfully submit that the claimed invention as set forth in each of the independent claims and the dependent claims must be read as a whole, and not as a single feature or subcombination of features which represent less than the entirety of the claimed invention as a whole. While a particular feature or subcombination of features referred to by the Examiner in the Statement of Reasons for Allowance may represent a basis for distinguishing the claimed invention over the prior art, Applicants further submit that this may not necessarily be the *sole* ground for distinguishing the claimed invention over the prior art of record. Accordingly, the Examiner's statement should, in Applicants' view, not be read as constituting or meaning that the invention can or should be reduced to a single "feature" of the invention or to a subcombination of features that is less than the entire invention claimed as a whole, nor that the single feature referenced by the Examiner or subcombination of features referenced by the Examiner in the Statement of Reasons for Allowance is the only or sole grounds for distinguishing the invention over the prior art of record.

Dated this 9th day of January, 2006.

Respectfully submitted,

RICK D. NYDEGGER
Attorney for Applicant
Registration No. 28,651
Customer No. 47973

RDN:kcs
KCS0000007456V001.doc



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- Transmittal Letter (2 pages)
- PTOL-85B Issue Fee Transmittal (1 page)
- Form PTO-2038 in the amount of \$1,712.00 (1 page)

Dated this 9th day of January, 2006.

Respectfully submitted,

RICK D. NYDEGGER
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